

IN THE UNITED STATES
PATENT AND TRADEMARK OFFICE

Declaration and Power of Attorney

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am an original, first and joint inventor of the subject matter which is claimed and for which a patent is sought on the invention entitled **Wireless Communication In A LAN With Varying Signal Level Thresholds, And LAN Using Such Communication** the specification of which is attached hereto.

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by an amendment, if any, specifically referred to in this oath or declaration.

I acknowledge the duty to disclose all information known to me which is material to patentability as defined in Title 37, Code of Federal Regulations, 1.56.

I hereby claim foreign priority benefits under Title 35, United States Code, 119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

European Patent Application No. 00302533.5 Filed 28th March 2000

I hereby claim the benefit under Title 35, United States Code, 120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, 112, I acknowledge the duty to disclose all information known to me to be material to patentability as defined in Title 37, Code of Federal Regulations, 1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application:

None

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

I hereby appoint the following attorney(s) with full power of substitution and revocation, to prosecute said application, to make alterations and amendments therein, to receive the patent, and to transact all business in the Patent and Trademark Office connected therewith:

Lester H. Birnbaum	(Reg. No. 25830)
Richard J. Botos	(Reg. No. 32016)
Jeffery J. Brosemer	(Reg. No. 36096)
Kenneth M. Brown	(Reg. No. 37590)
Donald P. Dinella	(Reg. No. 39961)
Martin I. Finston	(Reg. No. 31613)
Barry H. Freedman	(Reg. No. 26166)
Julio A. Garceran	(Reg. No. 37138)
Jimmy Goo	(Reg. No. 36528)
Anthony Grillo	(Reg. No. 36535)
Stephen M. Gurey	(Reg. No. 27336)
John M. Harman	(Reg. No. 38173)
Matthew J. Hodulik	(Reg. No. 36164)
Michael B. Johannesen	(Reg. No. 35557)
Mark A. Kurisko	(Reg. No. 38944)
Irena Lager	(Reg. No. 39260)
Reitseng Lin	(Reg. No. 42804)
John B. MacIntyre	(Reg. No. 41170)
Christopher N. Malvone	(Reg. No. 34866)
John F. McCabe	(Reg. No. 42854)
Scott W. McLellan	(Reg. No. 30776)
Michael A. Morra	(Reg. No. 28975)
Gregory J. Murgia	(Reg. No. 41209)
Claude R. Narcisse	(Reg. No. 38979)
Joseph J. Opalach	(Reg. No. 36229)
Neil R. Ormos	(Reg. No. 35309)
Jack R. Penrod	(Reg. No. 31864)
Gregory C. Ranieri	(Reg. No. 29695)
Scott J. Rittman	(Reg. No. 39010)
Ferdinand M. Romano	(Reg. No. 32752)
Eugene J. Rosenthal	(Reg. No. 36658)
Ronald D. Slusky	(Reg. No. 26585)
David L. Smith	(Reg. No. 30592)
Ozer M. N. Teitelbaum	(Reg. No. 36698)
John P. Veschi	(Reg. No. 39058)
Charles L. Warren	(Reg. No. 27407)
Eli Weiss	(Reg. No. 17765)

Please address all correspondence to the Docket Administrator (Rm. 3C-512), Lucent Technologies Inc., 600 Mountain Avenue, P. O. Box 636, Murray Hill, New Jersey 07974-0636. Telephone calls should be made to David Williams by dialing 011-44-208-504-2824.

Full name of 1st joint inventor: Albert Eikelenboom

Inventor's signature Jan Albert Eikelenboom Date 12-2-2001

10

Residence: 3523 HC Utrecht, Netherlands

Citizenship: Netherlands

Post Office Address: Slotlaan 6
3523 HC Utrecht
Netherlands

Full name of 2nd inventor: Adriaan Kamerman

Inventor's signature Adriaan Kamerman Date February 12, 2001

Residence: Nieuwegein, Netherlands

Citizenship: Netherlands

Post Office Address: Poseidonburg 9
Nieuwegein, 3437HP
Netherlands

Full name of 3rd inventor: Hendrik Moelard

Inventor's signature Hendrik Moelard Date 12 Feb 2001

Residence: Maarssen, Netherlands

Citizenship: Netherlands

Post Office Address: Pauwenkamp 250
Maarssen, 3607GT
Netherlands

Full name of 4th inventor: Leo Monteban

Inventor's signature Leo Monteban Date 12 Feb 2001

Residence: Nieuwegein, Netherlands

Citizenship: Netherlands

Post Office Address: Schildpadweide 9
Nieuwegein, 3437VB
Netherlands

**IN THE UNITED STATES
PATENT AND TRADEMARK OFFICE**

PATENT APPLICATION

Ablert Eikelenboom
Adriaan Kamerman
Hendrik Moelard
Leo Monteban

CASE 1-11-9-10

Serial No. Not Yet Assigned **Group Art Unit** Not Yet Assigned

Filed Not Yet Assigned

Examiner Not Yet Assigned

Title Wireless Communication In A LAN With Varying Signal Level Thresholds, And LAN Using Such Communication

**ASSISTANT COMMISSIONER FOR PATENTS
WASHINGTON, D.C. 20231**

SIR:

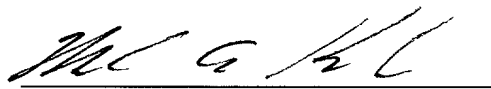
REVOCATION OF POWER OF ATTORNEY OR AUTHORIZATION OF AGENT

I hereby revoke all previous powers of attorney or authorizations of agent given in the above-identified application. An Agreement Regarding Powers of Attorney and General Appointment of Agent and Power of Attorney is submitted herewith.

Firm Name: Agere Systems Inc.
Address: P.O. Box 614
Berkeley Heights, NJ 07922-0614 USA
Telephone: (908) 582-3258 Fax: (908) 582-5911

I represent the assignee of record of the entire interest who is entitled to prosecute this application to the exclusion of the named inventors on the previous assignee pursuant to 37 CFR 3.71. A statement under 37 CFR 3.73(b) is enclosed.

Respectfully,



Mark A. Kurisko, Attorney
Reg. No. 38,944
Phone 610-712-3754

Date: 3/23/01

**Agere Systems Inc.
P.O. Box 614
Berkeley Heights, New Jersey 07922-0614**

**AGREEMENT REGARDING
POWERS OF ATTORNEY**

by and between

LUCENT TECHNOLOGIES INC.

and

AGERE SYSTEMS INC.

Dated as of February 1, 2001

AGREEMENT REGARDING POWERS OF ATTORNEY

This Agreement is effective as of February 1, 2001 between LUCENT TECHNOLOGIES INC., a Delaware corporation ("LUCENT"), having an office at 600 Mountain Avenue, Murray Hill, New Jersey 07974, United States of America, for itself and on behalf of its Subsidiaries (each and all herein after "LUCENT") and AGERE SYSTEMS INC., a Delaware corporation, with offices at 555 Union Boulevard, Allentown, PA 18109, United States of America ("AGERE").

WHEREAS, the Board of Directors of LUCENT has determined that it is in the best interests of LUCENT and its stockholders to separate LUCENT's existing businesses into two independent businesses; and


WHEREAS, as part of the foregoing, LUCENT has assigned certain United States and corresponding foreign patents and patent applications to AGERE, which patents and applications were filed in the name of LUCENT and various of its subsidiaries and predecessors, including AT&T Corp., a New York corporation and various of its subsidiaries; and

WHEREAS, in order to effect its rights under such patents and to prosecute such patent applications, including recording such assignments, AGERE representatives need Power of Attorney from LUCENT and predecessors of LUCENT.

THEREFORE, LUCENT agrees to provide AGERE employees and employees of AGERE affiliated companies with Powers of Attorney in the form attached to act for LUCENT, any of its wholly-owned subsidiaries, and any of such predecessors with respect to such issued patents and pending patent applications in the names of LUCENT, such subsidiaries or any of such predecessors.


AGERE agrees to use such Powers of Attorney only with respect to those certain patents and patent applications which were assigned to AGERE by LUCENT.

LUCENT TECHNOLOGIES INC.

By: 
Daniel P. McCurdy
President - Intellectual Property Business

Date: 1/30/01

AGERE SYSTEMS INC.

By: 
Gerard A. deBlasi
Vice President - Law

Date: 1/30/01

GENERAL APPOINTMENT OF AGENT**And****POWER OF ATTORNEY**

Lucent Technologies Inc., for itself and its subsidiaries, and as successor in interest to patents of AT&T Corp. and its subsidiaries, hereby appoints:

Gerard A. deBlasi
Fred M. Romano
Scott W. McLellan
Richard J. Botos
Marie MacNichol
Geraldine Monteleone
Scott Rittman
Anthony Grillo
David Smith
Robert P. Marley
John Veschi
Mark Kurisko
Les Birnbaum

as agents and attorneys to act on its and on Lucent Technologies Inc.'s behalf before any competent National and International Authorities in connection with any and all patents and patent applications filed by Lucent Technologies Inc., its wholly-owned subsidiaries or its predecessors, or issued or pending in the name of Lucent Technologies Inc., or any of its wholly-owned subsidiaries or predecessors, with the power to further appoint agents, and grant powers of attorney in connection therewith.

Lucent Technologies Inc.

By: 

Daniel P. McCurdy

President - Intellectual Property Business

Date: 1/30/01

EXECUTION COPY

PATENT ASSIGNMENT

by and between

LUCENT TECHNOLOGIES INC.

and

AGERE SYSTEMS GUARDIAN CORP.

Dated as of January 30, 2001

PATENT ASSIGNMENT

THIS PATENT ASSIGNMENT (this "Assignment"), effective as of January 30, 2001 (the "Effective Date"), is by and between Lucent Technologies Inc., a Delaware corporation, with offices at 600 Mountain Avenue, Murray Hill, New Jersey 07974, United States of America, ("ASSIGNOR") and Agere Systems Guardian Corp., a Delaware corporation, with offices at 555 Union Boulevard, Allentown, PA 18109, United States of America ("Agere Systems Guardian").

RECITALS

A. WHEREAS, the Board of Directors of ASSIGNOR has determined that it is in the best interests of ASSIGNOR and its stockholders to separate ASSIGNOR's existing businesses into two independent businesses;

B. WHEREAS, ASSIGNOR presently owns or controls certain patents, patent applications, and invention submissions listed in the attached Appendices A and B (hereinafter "TRANSFERRED PATENTS") and;

C. WHEREAS, in furtherance of the foregoing separation, ASSIGNOR desires to transfer, assign, convey, deliver and vest all of its interests and rights in TRANSFERRED PATENTS for all countries, jurisdictions and political entities of the world, to and in Agere Systems Guardian;

NOW, THEREFORE, in consideration of the premises and for other good and valid consideration, the receipt and sufficiency of which are hereby acknowledged, the parties, intending to be legally bound, agree as follows:

ASSIGNOR, subject to existing rights and licenses of third parties, does hereby assign, convey, transfer and deliver, and agrees to assign, convey, transfer and deliver to Agere Systems Guardian, its successors, assigns and legal representatives or nominees, ASSIGNOR's entire right, title and interest, for all countries, jurisdictions and political entities of the world, along with the right to sue for past infringement, to all TRANSFERRED PATENTS listed on Appendices A and B, and corresponding counterpart foreign patents and patent applications, with respect to which, and to the extent to which, ASSIGNOR now has or hereafter acquires the right to so assign, convey, transfer and deliver. Agere Systems Guardian recognizes that ASSIGNOR holds only bare legal title to the TRANSFERRED PATENTS listed in Appendix A (which lists the United States Patents and patent applications previously exclusively licensed to Lucent Technologies Microelectronics Guardian Corp.).

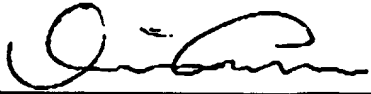
ASSIGNOR and ASSIGNEE recognize that the patents listed in Appendices A and B may inadvertently include patents that are owned by various subsidiaries of ASSIGNOR, including Agere, Inc., Ortel Corporation, Optimay Corporation, Herrmann Technology, Inc., and Enable Semiconductor, Inc. Ownership of such patents shall not be affected by this Patent

Assignment, and ASSIGNEE agrees that any such patents shall be deemed deleted from Appendices A and B.

ASSIGNOR agrees that, upon request it will, at any time without charge to Agere Systems Guardian, but at Agere Systems Guardian's expense, furnish all necessary documentation relating to or supporting chain of title, sign all papers, take all rightful oaths, and do all acts which may be necessary, desirable or convenient for vesting title to TRANSFERRED PATENTS in Agere Systems Guardian, its successors, assigns and legal representatives or nominees; including but not limited to any acts which may be necessary, desirable or convenient for claiming said rights and for securing and maintaining patents for said inventions in any and all countries and for vesting title thereto in Agere Systems Guardian and its respective successors, assigns and legal representatives or nominees.

IN WITNESS WHEREOF, the parties have caused this PATENT ASSIGNMENT to be executed by their duly authorized representatives as of the Effective Date.

LUCENT TECHNOLOGIES INC.

By: 
Daniel P. McCurdy
President, Intellectual Property Business

AGERE SYSTEMS GUARDIAN CORP.

By: 
Fred M. Romano
President

Execution Copy

ACKNOWLEDGMENTS

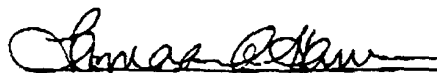
STATE OF NEW JERSEY)

: SS:

COUNTY OF SOMERSET)

I CERTIFY that on January 30, 2001, Daniel P. McCurdy personally came before me and this person acknowledged under oath, to my satisfaction that:

- a.) this person signed, sealed and delivered the attached Patent Assignment as President - Intellectual Property Business of Lucent Technologies Inc.; and
- b.) this Patent Assignment was signed and made by Lucent Technologies Inc. as its voluntary act and deed by virtue of authority from its Board of Directors.



Name

TAMORA ANNE HANNA

Notary Public

Notary Public of New Jersey

My Commission Expires ~~Registered in Hunterdon County~~

[Notarial Seal]

My Commission Expires March 25, 2002

STATE OF FLORIDA)

: SS:

COUNTY OF ORANGE)

I CERTIFY that on January 31, 2001, Fred M. Romano personally came before me and this person acknowledged under oath, to my satisfaction that:

- a.) this person signed, sealed and delivered the attached Patent Assignment as Vice President of Agere Systems Guardian Corp. ; and
- b.) this Patent Assignment was signed and made by Agere Systems Guardian Corp. as its voluntary act and deed by virtue of authority from its Board of Directors.

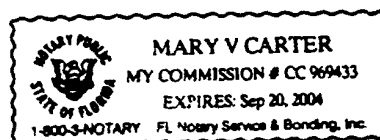


Name

Notary Public

My Commission Expires:

[Notarial Seal]



APPENDIX B (continued)
Transferred Patents (patent disclosures)

Case Name	IDS No.	Country	Serial No.	Filing Date
Addinall 3-2	119594 EPC		99309843	12/7/1999
Ammer 1-1	121017 EPC		303383.4	4/20/2000
Awater 11-13-10	122141 EPC		304239.7	5/19/2000
Awater 5-13	120083 EPC		303793.4	5/5/2000
Awater 6-14	120084 EPC		303784.3	5/5/2000
Awater 7-3-15	120110 EPC		310290.2	11/20/2000
Awater 8-35	121577 EPC		300397.7	1/20/2000
Baltersee 1-1-1	121008 EPC		300268	1/14/2000
Baltersee 2-2-2	121514 EPC		300254	1/14/2000
Baltersee 3-3-3	122055 EPC		104637.4	3/3/2000
Bar-David 9-10-18	114558 EPC		99303282	4/27/1999
Boer 4-5-1-6-5	120934 EPC		308184.1	9/20/2000
Brook 1-2-2	122536 EPC		304276.9	5/19/2000
Buckley 1	119438 EPC		9916972.4	7/20/1999
Buckley 1-1-1-2-1	117033 PCT		PCT/EP99/09027	11/11/1999
Buckley 2	119440 EPC		NULL	NULL
Buckley 3-1-2	122144 EPC		303977.3	5/11/2000
Busch 1-1	123325 EPC			NULL
Busch 2-2	123326 EPC			NULL
Busking 2	7 GR BRIT		9019486.1	9/6/1990
Canning 1-1-1-1	121133 EPC			NULL
Chambers 1	122265 EPC			NULL
Chapman 1	119419 EPC		NULL	NULL
Chapman 2	119435 EPC		9918792.4	8/10/1999
Chapman 4	119439 EPC		NULL	NULL
Chapman 5-4-5	121579 GR BRIT		5486.6	3/7/2000
Chapman 6-1-5	121887 GR BRIT		15105	6/20/2000
Chastanet 1	117218 FRANCE		8713646	10/2/1987
Chastanet 2-1-3	117248 FRANCE		9108065	6/28/1991
Cook 4-1	120446 EPC		99307660	9/28/1999
Cook 5-2	120447 EPC		99307661	9/28/1999
Cronin 1-1-1-1-1	121612 EPC			NULL
Davies 1-1-1-3-1	116205 EPC		98307490	9/15/1998
De Boer 1	118234 EPC		99302185	3/22/1999
De Boer 2-1	120534 EPC		NULL	NULL
Diepstraten 21-10-8	120711 EPC		300343.1	1/19/2000
Diepstraten 22-12-2-2	122133 EPC		306496.1	7/31/2000
Dietsche 1	120004 EPC		302954.3	4/7/2000
Dietsche 2	120005 EPC		309321.8	10/23/2000
Dittrich 1-1-19	120731 EPC		106914.5	3/31/2000
Dittrich 2-2-20	122004 EPC			NULL
Druke 1-1	7 GERMANY		P4318339.5	6/2/1993
Duan 2-4-2	121023 CHINA			NULL
Dubel 1	112669 GERMANY		P4013477.6	4/27/1990
Dubel 3	112669 GERMANY		P3538184.1	10/26/1985
Eikelenboom 1-11-9-10	120712 EPC		302533.5	3/28/2000